

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2515 - SB 2314

March 13, 2016

SUMMARY OF BILL: Declares that if a tenant or a tenant's immediate family member is a victim of an act of domestic abuse, stalking or sexual assault and has a reasonable fear of suffering psychological harm or a further act of domestic abuse, stalking or sexual abuse as a result of the victim continuing to reside in the dwelling unit, that the tenant is released from the lease if the tenant gives the landlord notice that meets the conditions outlined in the bill and provides required documentation.

Outlines tenant and landlord liabilities and responsibilities for termination of leases for one person and multi-person dwelling units.

Specifies rights for tenant, perpetrator, and landlord seeking damages under this legislation.

Authorizes the tenant to change or rekey a lock if a tenant or a tenant's immediate family member is a victim of such abuse or assault and outlines recovery of expenses or damages resulting from the key change.

Clarifies that if a court order requires a perpetrator to vacate a dwelling due to an act of domestic abuse, stalking, or sexual assault, other than an ex parte order, that neither the landlord nor the victim tenant has a duty to allow the perpetrator access to the unit, if the perpetrator is not accompanied by a law enforcement officer. If a perpetrator is party to a lease, then upon the issuance of a court order requiring the perpetrator to vacate the dwelling unit, other than an ex parte order, the perpetrator's interest under the lease terminates.

Authorizes a landlord who has reasonable belief that a tenant or immediate family member is a victim of an act of domestic abuse, stalking, or sexual assault and that the perpetrator also resides in the same building or complex to terminate the perpetrator's interest in the lease. Outlines the notice that the landlord must provide to the tenant and perpetrator.

States that a waiver of a tenant's or landlord's rights under this part in any lease or other agreement, except as otherwise provided by law or federal, state, or local regulation, shall be void and unenforceable.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- According to the Administrative Office of the Courts, the provisions of the bill will not result in a significant increase in caseloads. Any fiscal impact to the court system is estimated to be not significant.
- Based on information from local government sources, the provisions of the bill will have no fiscal impact on local government.
- Any fiscal impact resulting from the provisions of the bill will be borne by private individuals.

IMPACT TO COMMERCE:

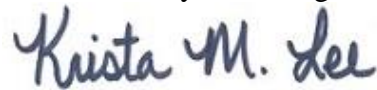
NOT SIGNIFICANT

Assumption:

- The provisions of this bill will not impact commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

/amj